

REQUEST FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000 provides for continued examination of a utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA)

Application Number: 09/842,403

Filing Date: April 26, 2001

First Named Inventor: Shinichi ITO et al.

Group Art Unit: 2823

Examiner: Garcia, Joannie A.

Attorney Docket Number: 04329.2566

Attorney Customer Number: 22,852

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**Note:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) instead of a RCE to be eligible for patent term adjustment provisions of the AIPA. See "Changes to Application Examination and Provisional Application Practice," Interim Rule, 65 Fed. Reg. 14865 (March 20, 2000). Off. Gaz. Pat. Office 47 (April 11, 2000), which established RCE practice.

1. **Submission required under 37 C.F.R. § 1.114:** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, application must request non-entry of such amendment.

a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief of Reply Brief previously filed on [Date] \_\_\_\_\_.

ii. ☐ Other \_\_\_\_\_

b. ☒ Enclosed:

i. ☒ Amendment/Reply

iii. ☐ Information Disclosure Statement

ii. ☐ Affidavit(s)/Declaration(s)

iv. ☐ Other \_\_\_\_\_

## 2. Miscellaneous

a. ☐ Suspension of action on the above-mentioned application is requested under 37 C.F.R. § 1.103(c) for a period of [number] months. (Period of suspension shall not exceed 3 months; fee under 37 C.F.R. § 1.17(i) required.)

b. ☐ Other \_\_\_\_\_

## 3. Fees

a. ☒ The filing fee is calculated as follows:

i. ☒ \$770.00 RCE fee required under 37 C.F.R. § 1.17(e)

ii. ☐ Petition for extension of time for ([number] Months) \$[Fee]

iii. ☐ Other \_\_\_\_\_

b. ☒ Check in the amount of \$770.00 enclosed.

c. ☒ The Commissioner is authorized to charge any deficiencies in the filing fees, or credit any overpayments to Deposit Account No. 06-0916.

07/27/2004 SDIRETA1 00000104 03842403

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770.00 DP

## Signature of Applicant, Attorney, or Agent Required

Name: Rajeev Gupta

Reg. No.: 55,873

Signature: *Rajeev Gupta*

Date: *July 26, 2004*

## Certificate of Mailing or Transmission

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, MAIL STOP RCE, P.O. Box 1450, Alexandria, VA. 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on: [Date]

Name: [Text]

Signature:

Date:



PATENT  
Customer No. 22,852  
Attorney Docket No. 04329.2566

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
)  
Shinichi ITO et al. ) Group Art Unit: 2823  
)  
Application No.: 09/842,403 ) Examiner: Garcia, Joannie A.  
)  
Filed: April 26, 2001 ) Confirmation No. 9090  
)  
For: FILM FORMATION METHOD, )  
SEMICONDUCTOR ELEMENT )  
AND METHOD THEREOF, AND )  
METHOD OF MANUFACTURING )  
A DISK-SHAPED STORAGE )  
MEDIUM )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**AMENDMENT**

This Amendment is being filed along with a Request for Continued Examination (RCE) and fulfills the requirement for a submission under 37 C.F.R. § 1.114. A Notice of Allowability was mailed on April 26, 2004. This Amendment and the RCE are being filed before the payment of the issue fee. Please amend the application as follows:

**Amendments to the Claims** are reflected in the listing of claims in this paper.

**Remarks** follow the Amendment section in this paper.